

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ANDRE JOHNSON,

Plaintiff,

Case No.

1:23-cv00409-AMN-TWD

v.

PHOENIX PROFESSIONAL  
PROTECTION, INC. and HENRY I KLEIN,  
individually,

Defendants.

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**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants, Phoenix Professional Protection, Inc. and Henry I. Klein, (“Defendants”), by and through their undersigned counsel, respectfully move for an extension of time up to and including May 25, 2023, for Defendants to answer, move or otherwise respond to Plaintiff’s Complaint, and states the following in support:

1. On or about April 1, 2023, Plaintiff filed his Complaint. (Doc 1.)
2. On or about April 4, 2023, Defendant Phoenix Professional Protection Inc. was served with the Complaint, making its response due April 25, 2023. (Doc. 4.)

3. On or about April 21, 2023, Defendant Henry Klein was served with the Complaint, making his response due May 12, 2023. (Doc. 5.)
4. Counsel for Defendants was retained on or about April 25, 2023, and is in the process of intaking and reviewing Defendants' files relevant to the underlying litigation.
5. On April 25, 2023, counsel for Defendants contacted Plaintiff's counsel and requested that Plaintiff consent to Defendants' Motion for an extension of time to respond to the Complaint. Plaintiff does not oppose the relief requested herein.
6. In order to fully investigate and formulate an appropriate response(s) to the Complaint and explore the possibility of early resolution, counsel for Defendants respectfully request a brief extension of time, up to and including May 25, 2023, for Defendants to respond to Plaintiff's Complaint. Furthermore, counsel for the Parties will seek to determine if an amicable resolution is available.
7. This extension is not being sought for purposes of delay, nor will this brief extension prejudice any party to the litigation.
8. This Court may grant the requested enlargement of time for good cause shown when the request is made before the original time expires. Fed. R. Civ. P. 6(b).

9. The Defendants' request for an extension of the deadline is based on good cause, made in good faith, and does not prejudice Plaintiff.

WHEREFORE, Defendants respectfully requests an extension of time up to and including May 25, 2023, for Defendants to answer, move or otherwise respond to Plaintiff' Complaint.

Dated this 25th day of April 2023.

Respectfully submitted,  
SPIRE LAW, LLC  
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Oviedo, Florida 32765

By:/s/ Ian E. Smith  
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***Attorneys for Defendants***

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of April 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/Ian E. Smith  
Attorney